

# Carter County Commission SPECIAL CALL SESSION July 31, 2014, 9:00 AM

Chairman, Tom Bowers called the Special Called Session of the Carter County Commission to order at 9:00 AM.

Chairman Bowers announced that the date of the Regular Session of the County Commission meeting had been changed and would be held on Thursday, August 14, 2014 at 6:00 PM.

#### Roll Call as follows:

Present: Buford Peters, Willie Campbell, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble. (23 Present)

Absent: Charlie Bayless (1 Absent due to family medical reasons).

<u>Prayer</u> was led by Willie Campbell, and Ronnie Trivett followed by leading the *pledge to the*American flag.

# Consideration of Mayoral Veto:

- A. Tax Rate Resolution
- B. Budget Resolution
- C. Non Profit and Charitable Contribution Resolution

#### A. Tax Rate Resolution

Motion was made by Buford Peters, seconded by Lawrence to override the Mayor's veto of "A Resolution Fixing the Tax Levy in Carter County, Tennessee, For The Fiscal Year Beginning July 1, 2014 (2014-2015)" RESOLUTION No. 608. Recorded on pages 486-487.

Following much discussion, Chairman Bowers ask for a roll call vote.

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Lawrence Hodge, Joel Street, Richard Winters, Harry Sisk, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, Sonja Culler, Russell Kyte, Bill Armstrong, and Pat Hicks. (16 Ayes)

Nays: Nancy Brown, Ronnie Trivett, Charles VonCannon, L.C. Tester, John Lewis, Scott Sams, and Robert Gobble. (7 Nays)

Absent: Charlie Bayless (1 Absent)

By majority roll call vote, motion carried.

#### B. Budget Resolution

Motion was made by Steve Chambers, seconded by Ken Amey to override the Mayor's veto of "A Resolution Making Appropriations for the Various Funds, Departments, Institutions, Offices and Agencies of Carter County, Tennessee for the Year Beginning July 1, 2014 and Ending June 30, 2015." Resolution No. 609 Recorded on pages 483-423.

Following much discussion, Chairman Bowers ask for a roll call vote.

Clerks Note: Let the record reflect that an (\*) indicates that the Disclaimer for Employees of Carter County, Tennessee was voiced by the Commissioner concerning the vote.

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Lawrence Hodge, (\*)Joel Street, Richard Winters, Harry Sisk, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Bobbie Gouge-Dietz, (\*)Ken Arney, Steve Chambers, (\*)Sonja Culler, Russell Kyte, Bill Armstrong, and Pat Hicks. (16 Ayes)

Nays: Nancy Brown, Ronnie Trivett, Charles VonCannon, (\*)L.C. Tester, John Lewis, Scott Sams, and Robert Gobble. (7 Nays)

Absent: Charlie Bayless (1 Absent)

By majority roll call vote, motion carried.

#### C. Non Profit and Charitable Contribution Resolution

Motion was made by Lawrence Hodge, seconded by Ken Arney to override the Mayor's veto of "A Resolution Making Appropriations to Non Profit Charitable Organizations of Carter County, Tennessee for the Year Beginning July 1, 2014 and Ending June 30, 2015."

Resolution No. 607 Recorded on pages 492-435

Following a short discussion, Chairman Bowers ask for a roll call vote.

Roll Call Vote as follows:

Ayes: Buford Peters, Willie Campbell, Lawrence Hodge, Nancy Brown, Joel Street, Richard Winters, Ronnie Trivett, Harry Sisk, Charles VonCannon, L.C. Tester, Steve Lowrance, Tom Bowers, Jo Ann Blankenship, Bobbie Gouge-Dietz, Ken Arney, Steve Chambers, John Lewis, Sonja Culler, Russell Kyte, Scott Sams, Bill Armstrong, Pat Hicks, and Robert Gobble. (23 Ayes)

Nays: None (0 Nays)

Absent: Charlie Bayless (1 Absent)

By majority roll call vote, motion carried.

Motion to adjourn was made by Lawrence Hodge, seconded by Ken Arney. By majority voice vote, motion carried. Meeting adjourned at 9:30 AM

# BEFORE THE COUNTY COMMISSION

# OF CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, JULY 21, 2014

RESOLUTION NO. 608

# "A RESOLUTION FIXING THE TAX LEVY IN CARTER COUNTY, TENNESSEE, FOR THE FISCAL YEAR BEGINNING JULY 1, 2014 (2014 - 2015)"

SECTION 1. BE IT RESOLVED. by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 21st day of July, 2014, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, that the combined property tax rate of Carter County Tennessee, for the fiscal year beginning July 1, 2014, and ending June 30, 2015, shall be \$2.47 on each \$100.00 of taxable property, which is to provide revenue for each of the following funds and otherwise conform to the following levies:

#### **FUND RATE**

Total	\$ 2.450
County Road Fund	\$ 0.130
Debt Service	\$ 0.345
County General Fund	\$ 0.915
General Purpose/Schools	\$ 1.060

SECTION 2. BE IT FURTHER RESOLVED that there is hereby levied a gross receipts tax as provided by law. The proceeds of the gross receipts tax herein levied shall accrue to the General Fund.

SECTION 3. BE IT FURTHER RESOLVED, that all resolutions of the Board of County Commissioners of Carter County, Tennessee, which are in conflict with this resolution are hereby repealed.

SECTION 4. BE IT FURTHER RESOLVED, that this Resolution take effect from and after its passage, the public welfare requiring it. This resolution shall be spread upon the minutes of the County Commission of Carter County, Tennessee, in the County Clerk's records.

Passed this 21st day of July, 2014.

CARTER COUNTY, TENNESSEE

APPROVED:

THOMAS BOWERS CHAIRMAN CARTER COUNTY COMMISSION

Ву:

LEON HUMPHREY

CARTER COUNTY MAYOR

VETOED:

CARTER COUNTY MAYOR

VETO	<b>OVERIDE</b>	VOTE
VEIO	OVERIDE	: VUIE

16	_ YES VOTES
	_ NO VOTES
<u> 8</u>	_ ABSTAIN VOTES

APPROVED WITH SUCCESSFUL OVERIDE VOTE:

By: Chome & Corve
THOMAS BOWERS
CHAIRMAN CARTER COUNTY COMMISSION

Date: 7-3/-20/4

ATTEST:

MARY GOUGE/ CARTER COUNTY CLERK

APPROVED AS \$10 FORM:

KÉITH BOWERS, JR. CARTER COUNTY ATTORNEY

# BEFORE THE COUNTY COMMISSION

# OF CARTER COUNTY, TENNESSEE

REGULAR MEETING, MONDAY, JULY 21, 2014

RESOLUTION NO. 609

# "A RESOLUTION MAKING APPROPRIATIONS FOR THE VARIOUS FUNDS, DEPARTMENTS, INSTITUTIONS, OFFICES AND AGENCIES OF CARTER COUNTY, TENNESSEE FOR THE YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015."

SECTION 1. BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 21<sup>st</sup> day of July, 2014, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative that the amounts hereafter set out are hereby appropriated for the purpose of meeting the expenses of the various funds, departments, institutions, offices and agencies of Carter County, Tennessee, for the capital outlay, and for meeting the payment of principal and interest on the County's debt maturing during the year beginning July 1, 2014 and ending June 30, 2015, according to the following schedule:

GENERAL I	FU	ND
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County Commission	86,879.00
Board of Equalization	5,628.75
County Executive (Mayor)	179,138.29
County Attorney	60,738.00
Election Commission	347,874.64
Register of Deeds	248,196.12
Planning	259,793.17
County Buildings	683,692.08
Other General Administration	0.00
Accounting and Budgeting	393,643.53
Property Assessor's Office	416,526.94
Reappraisal Program	103,210.60
County Trustee's Office	317,952.37
County Clerk	435,678.52
Circuit Court	680,153.29
General Sessions Court	242,141.85
Chancery Court	314,138.72
Judicial Commissioners	39,512.23
Other Administrative of Justice	13,300.00
Sheriff's Department	3,494,952.73
Jail	3,499,152.37
Juvenile Services	201,740.24
Fire Prevention	330,000.00
Rescue Squad	170,000.00
EMA	87,527.72
Inspection and Regulation	3,960.00
County Corner	9,280.00
Other Public Safety	2,500.00
Local Health Center	169,000.00
Rabies and Animal Control	155,928.89
Ambulance and Medical Services (911)	173,858.00
Crippled Children Services	20,727.00
Aid to Dependent Children	0.00
Other Local Welfare Services	1,520.00
Other Public Health	1,425.00
Senior Citizens Assistance	46,010.00
Libraries Park and Recreation	36,587.50 22,562.50
Other Social, Cultural, & Recreation	22,562.50 3,748.13
Agricultural Extension Service	92,361.29
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Flood Control Other Agriculture & Natural Resources Tourism Industrial Development Other Economic & Community Development Veterans' Service Other Charges Contributions to Other Agencies Employee Benefits Miscellaneous Litter and Trash Collection Other General Government Projects	3,657.50 19,855.00 90,000.00 1,000.00 101,941.24 31,135.89 1,900.00 49,500.00 0.00 360,468.31 46,742.85 0.00
Total General Fund	14,057,240.26
COURTHOUSE AND JAIL MAINTENANCE County Buildings Other Administrations of Justice Miscellaneous	5,600.00 4,800.00 100.00
Total Courthouse and Jail Maintenance	10,500.00
SOLID WASTE/SANITATION FUND Convenience Centers Recycling Center Landfill Operation and Maintenance Miscellaneous	52,357.18 59,994.53 694,266.60 10,000.00
Total Solid Waste/Sanitation Fund	816,618.31
HEALTH DEPARTMENT FUND Local Health Center	169,000.00
Total Health Department	169,000.00
DRUG CONTROL Drug Enforcement Miscellaneous	110,000.00 800.00
Total Drug Control	110,800.00
HIGHWAY/PUBLIC WORKS FUND Administration Highway & Bridge Maintenance Operation & Maintenance of Equipment Other Charges Employee Benefits Capital Outlay	339,038.53 2,260,279.01 1,039,494.22 104,095.51 65,941.07 355,000.00
Total Highway/Public Works Fund	4,163,848.34
GENERAL PURPOSE SCHOOL FUND Regular Instruction Program Alternative Instruction Program Special Education Program Vocational Education Program Health Services Other Student Support Regular Instruction Program Alternative Instruction Program Special Education Program Vocational Education Program	19,789,709.88 162,978.00 3,131,405.35 1,404,229.39 324,371.00 1,143,934.50 1,420,310.00 116,683.88 361,547.99 155,531.84

Board of Education	781,502.00
Office of the Superintendent	446,028.85
Office of the Principal	2,426,375.18
Fiscal Services	158,000.00
Operation of Plant	2,862,156.50
Maintenance of Plant	701,813.55
Transportation	2,208,519.74
Central and Other	304,689.67
Community Services	194,588.00
Regular Capital Outlay	335,300.00
Education Debt Service	335,000.00
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Total General Purpose School Fund	38,764,672.32
HEAD START FUND	
Childhood Education	1,022,226.00
Total Head Start Fund	1,022,226.00
CENTRAL CAFETERIA FUND	
Food Services	2,995,812,27
	_,,
Total Central Cafeteria Fund	2,995,812.27
GENERAL DEBT SERVICE	
General Government Debt Service	1,592,931.26
Education Debt Service	735,079.66
Total General Debt Service	2,328,010,92
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BE IT FURTHER RESOLVED, that the budget for the School Federal Projects fund shall be the budget approved for separate projects within No Child Left Behind (NCLB), Individuals with Disabilities Education Act (IDEA-Part B and Preschool), Carl Perkins Vocational fund and other federal grants by the Carter County Board of Education.

SECTION 2. BE IT FURTHER RESOLVED, that there are also hereby appropriated certain portions of the commissions and fees for collecting taxes and licenses and for administering other funds which the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and the Sheriff and their officially authorized deputies and assistants may be entitled to receive under state laws heretofore or hereafter enacted. Expenditures out of commissions and/or fees collected by the Trustee, County Clerk, Circuit Court Clerk, Clerk and Master, Register, and Sheriff may be made for such purposes and in such amounts as may be authorized by existing law or by valid order of any court having power to make such appropriations. Any excess commissions and/or fees collected over and above the expenditures duly and conclusively authorized shall be paid over to the Trustee and converted into the General Fund as provided by law.

BE IT FURTHER RESOLVED that if any fee officials, as enumerated in Section 8-22-101, T.C.A., operate under provisions of Section 8-22-104, T.C.A., provisions of the preceding paragraph shall not apply to those particular officials.

SECTION 3. BE IT FURTHER RESOLVED, that any amendment to the budget, except for amendments to the budget for funds under supervision of the Director of Schools, shall be approved as provided in Section 5-9-407, T.C.A. The Director of Schools must receive approval of the Board of Education for transfers within each major category of the budget, and approval of both the Board of Education and Board of County Commission for transfers between major categories as required by law.

One copy of each amendment shall be filled with the County Clerk, one copy with the Chairman of the Budget Committee, and one copy with each divisional or departmental head concerned. The reason(s) for each transfer shall be clearly stated; however, this section shall in no case whatsoever be construed as authorizing transfer from one fund to another, but shall apply solely to transfers within a certain fund.

SECTION 4. BE IT FURTHER RESOLVED that any appropriations made by this resolution which cover the same purpose for which a specific appropriation is made by statute is made in lieu of but not in addition to said statutory appropriation. The salary, wages, or remuneration of each officer, employee, or agent of the County shall not be in excess of the amounts authorized by existing law or as set forth in the estimate of expenditures which accompanies this resolution. Provided, however, that appropriations for such salaries, wages, or other remuneration hereby authorized shall in no case be construed as permitting expenditures for an office, agency, institution, division or department of the County in excess of the appropriation made herein for such office, agency, institution, division or department of the County. Such appropriation shall constitute the limit to the expenditures for any office, agency, institution, division or department for the year ending June 30, 2015. The aggregate expenditures for any item of appropriation shall in no instance be more than the amount herein appropriated for such item.

SECTION 5. BE IT FURTHER RESOLVED, that any resolution which may hereafter be presented to the Board of County Commissions providing for appropriations in addition to those made by this Budget Appropriation Resolution shall specifically provide sufficient revenue or other funds, actually to be provided during the year in which the expenditure is to be made to meet such additional appropriation. Said appropriating resolution shall be submitted to and approved by State Director of Local Finance after its adoption as provided by Section 9-21-403, T.C.A.

SECTION 6. BE IT FURTHER RESOLVED, that the County Mayor and County Clerk are hereby authorized to borrow money on revenue anticipation notes provided such notes are first approved by the State Director of Local Finance to pay for the expenses herein authorized until the taxes and other revenue for the year 2014 - 2015 have been collected. The proceeds of loans for each of individual fund shall not exceed 60% of the appropriations of each individual fund and shall be used only to pay the expenses and other requirements of the fund for which the loan is made. The loan shall be paid out of revenue from the fund for which money is borrowed. The notes evidencing the loans authorized under this section shall be issued under the applicable sections of Title 9, Chapter 21, T.C.A. Said notes shall be signed by the County Mayor and countersigned by the County Clerk and shall mature and be paid in full without renewal not later than June 30, 2015.

SECTION 7. BE IT FURTHER RESOLVED, that the delinquent County property taxes for the year 2013 and prior years and the interest and penalty thereon collected during the year ending June 30, 2015 shall be apportioned to the various County funds according to the subdivision of the tax levy for the year 2013. The Clerk and Master and the Trustee are hereby authorized and directed to make such apportionment accordingly.

SECTION 8. BE IT FURTHER RESOLVED, that all encumbered balances of appropriations remaining at the end of the year shall lapse, and be of no further effect at the end of the year at June 30, 2015.

<u>SECTION 9.</u> BE IT FURTHER RESOLVED, that any resolution or part of a resolution which heretofore has been passed by the Board of County Commissioners which is in conflict with any provision in this resolution be and the same is hereby repealed.

<u>SECTION 10.</u> BE IT FURTHER RESOLVED, that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2014. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 21st day of July, 2014.

APPROVED:

CARTER COUNTY, TENNESSEE

THOMAS BOWERS CHAIRMAN, CARTER COUNTY COMMISSION

VETOED;	By:  LEON HUMPHREY CARTER COUNTY MAYOR  By:  LEON HUMPHREY CARTER COUNTY MAYOR  Date: 7/23/14
	Date: 7/23/14
VETO OVERIDE VOTE:	
APPROVED WITH SUCCESSFUL	OVERIDE VOTE:  By: Sower
	THOMAS BOWERS CHAIRMAN CARTER COUNTY COMMISSION
	Date: 7-31-2014
ATTEST:	
MARY GOUGE Z CARTER COUNTY CLERK	

KEITH BOWERS, JR.

CARTER COUNTY ATTORNEY

APPROVED AS TO FORM:

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# BEFORE THE COUNTY COMMISSION

#### OF CARTER COUNTY, TENNESSEE

#### REGULAR MEETING, MONDAY, JULY 21, 2014

RESOLUTION NO. 607

# "A RESOLUTION MAKING APPROPRIATIONS TO NONPROFIT CHARITABLE ORGANIZATIONS OF CARTER COUNTY, TENNESSEE FOR THE YEAR BEGINNING JULY 1, 2014 AND ENDING JUNE 30, 2015"

WHEREAS, T.C.A. § 5-9-109 authorizes the Carter County Legislative Body to make appropriations to various nonprofit charitable organizations; and

WHEREAS, the Carter County Legislative Body recognizes the various nonprofit charitable organizations providing services in Carter County are in great need of funds to carry on their nonprofit charitable work.

NOW, THEREFORE, BE IT RESOLVED, by the County Commission of Carter County, Tennessee, meeting in regular session at Elizabethton, Tennessee, on this 21<sup>st</sup> day of July, 2014, with a lawful quorum of said Commission being present and with a majority of said Commission voting in the affirmative, the following:

SECTION 1. That nine hundred seventy-two thousand, four hundred sixty-six dollars and twenty-four cents (\$972,466,24) be appropriated to nonprofit organizations in Carter County as reflected below.

No.	Agency	A	mount
101-54310-316	Volunteer Fire Departments	\$	330,000.00
101-54420-599	Rescue Squad		170,000.00
101-55130-316	Emergency 911 Service		173,858.00
101-55180-316	Vocational Rehabilitation		20,727.00
101-55900-316	Red Cross		1,425.00
101-56300-316	Senior Citizens		14,440.00
101-56300-316	First TN Human Resource Agency		30,570.00
101-56300-316	Retired Senior Volunteer Program		1,000.00
101-56500-316	Library		31,587.50
101-56500-316	Imagination Library		5,000.00
101-56700-316	Parks and Recreation		22,562.50
101-57900-309	Soil Conservation		18,952.50
101-57900-316	Department of Agriculture		902.50
101-58190-316	First Tennessee Development District		8,986.00
101-58190-316	Pathology		92,955.24
101-58500-316	Carter County Tomorrow		40,000.00
<u>101-58500-316</u>	Boys and Girls Club		9,500.00

Total <u>\$ 972,466.24</u>

BE IT FURTHER RESOLVED that all appropriations enumerated in Section 1 above are subject to the following conditions:

- That the non-profit charitable organizations to which funds are appropriated shall file with the County Clerk and the disbursing official a copy of an annual report of its business affairs and transactions and the proposed use of the County's funds in accordance with rules promulgated by the Comptroller of the Treasury, Chapter 0380-2-7. Such annual report shall be prepared and certified by the Chief Financial Officer of such non-profit organization in accordance with T.C.A. § 5-9-109(c).
- That said funds must only be used by the named non-profit charitable organization in furtherance of their non-profit charitable purpose benefitting the general welfare of the residents of Carter County.
- That it is the expressed interest of the County Commission of Carter County providing these funds to the above named non-profit charitable organizations to be fully in compliance with Chapter 0380-2-7 of the Rules of the Comptroller of the Treasury, and T.C.A. § 5-9-109 and any and all

other laws which may apply to County appropriations to non-profit organizations, and so this appropriation is made subject to compliance with any and all of these laws and regulations.

BE IT FURTHER RESOLVED that this resolution shall take effect from and after its passage and its provisions shall be in force from and after July 1, 2014. This resolution shall be spread upon the minutes of the Board of County Commissioners.

Passed this 21st day of July, 2014.

	CARTER COUNTY, TENNESSEE
APPROVED:	By: Lona Chairman Carter County Commission
	By: LEON HUMPHREY CARTER COUNTY MAYOR
VETOED:	De S
	LEON HUMPHREY  CARTER COUNTY MAYOR
	Date: 7/23/14
VETO OVERIDE VOTE:	
	23 YES VOTES
	NO VOTES
	ABSTAIN VOTES
APPROVED WITH SUCCESSFUL (	OVERIDE VOTE:
	Allow Brian
	THOMAS BOWERS CHAIRMAN CARTER COUNTY COMMISSION
	Date: 7-31-2014

ATTEST:

APPROVED AS TO FORM:

KEITH BOWERS, JR. CARTER COUNTY ATTORNEY